

108TH CONGRESS  
1ST SESSION

# H. R. 719

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2003

Mr. BOSWELL (for himself, Mr. LEACH, Mr. KING of Iowa, Mr. NUSSLE, Mr. POMEROY, Mr. JANKLOW, and Mr. BEREUTER) introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PROHIBITION ON PACKERS OWNING, FEEDING,**  
4               **OR CONTROLLING LIVESTOCK.**

5               (a) PROHIBITION.—Section 202 of the Packers and  
6       Stockyards Act, 1921 (7 U.S.C. 192), is amended—

7                       (1) by redesignating subsections (f) and (g) as  
8       subsections (g) and (h), respectively; and

1           (2) by inserting after subsection (e) the fol-  
2       lowing new subsection (f):

3       “(f) Own or feed livestock directly, through a sub-  
4       sidiary, or through an arrangement that gives the packer  
5       operational, managerial, or supervisory control over the  
6       livestock, or over the farming operation that produces the  
7       livestock, to such an extent that the producer is no longer  
8       materially participating in the management of the oper-  
9       ation with respect to the production of the livestock, ex-  
10      cept that this subsection shall not apply to—

11           “(1) an arrangement entered into within 7 days  
12       (excluding any Saturday or Sunday) before slaugh-  
13       ter of the livestock by a packer, a person acting  
14       through the packer, or a person that directly or indi-  
15       rectly controls, or is controlled by or under common  
16       control with, the packer;

17           “(2) a cooperative or entity owned by a cooper-  
18       ative, if a majority of the ownership interest in the  
19       cooperative is held by active cooperative members  
20       that—

21           “(A) own, feed, or control livestock; and

22           “(B) provide the livestock to the coopera-  
23       tive for slaughter;

24           “(3) a packer that is not required to report to  
25       the Secretary on each reporting day (as defined in

1 section 212 of the Agricultural Marketing Act of  
2 1946 (7 U.S.C. 1635a)) information on the price  
3 and quantity of livestock purchased by the packer;  
4 or

5 “(4) a packer that owns one livestock proc-  
6 essing plant; or”.

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—Subject to paragraph (2),  
9 the amendments made by subsection (a) take effect  
10 on the date of enactment of this Act.

11 (2) TRANSITION RULES.—In the case of a pack-  
12 er that, on the date of enactment of this Act, owns,  
13 feeds, or controls livestock intended for slaughter in  
14 violation of section 202(f) of the Packers and Stock-  
15 yards Act, 1921 (as added by subsection (a)), such  
16 section shall not apply to the packer—

17 (A) in the case of a packer of swine, until  
18 the end of the 18-month period beginning on  
19 the date of the enactment of this Act; and

20 (B) in the case of a packer of any other  
21 type of livestock, until such date as the Sec-  
22 retary of Agriculture considers practicable, but  
23 not later than 180 days after the date of the  
24 enactment of this Act.

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